

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA,

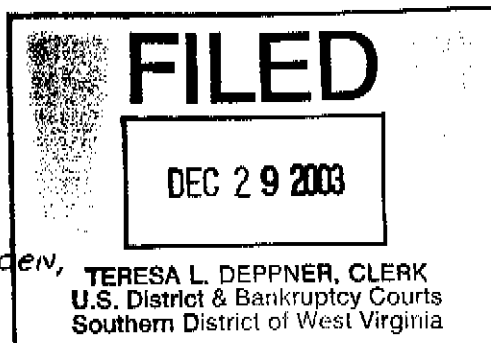
HENRY PERSINGER,

PETITIONER,

VS

THOMAS MCBRIDE, WARDEN,

RESPONDENT,



CIVIL ACTION NO. 5:03-0618

PETITIONER RESPONSE WITH ARGUMENT  
ON RESPONDENT'S MOTION TO DISMISS

NOW COMES PETITIONER HENRY PERSINGER, AS PRO SE IN CASE NO. 5:03-0618, IS GIVING A RESPONSE WITH PETITIONER OBJECTIONS TO THE RESPONDENT'S MOTION TO DISMISS ON FAILURE TO FILE WITHIN THE PRESCRIBED LIMITATION PERIOD.

ONE - THIS PETITIONER WRIT OF HABEAS CORPUS, UNDER 28 U.S.C. - 2254, SPEAKS FOR ITSELF AS THIS PETITIONER PETITION WAS FILED IN GOOD FAITH SEEKING RELIEF ON CONSTITUTIONAL ISSUES ON THE LOWER COURT ERRORS, SO PLEASE TAKE NOTICE TO PETITIONER OBJECTIONS THAT HE IS NOT TIME BARRED, IN CASE NO. 5:03-0618,

TWO - PLEASE TAKE NOTICE ON PETITIONER OBJECTIONS AS THIS PETITIONER HAS A LIMITED EDUCATION IN UNDERSTANDING COURT RULES AND HAS NO KIND OF SCHOOLING OR TO UNDERSTAND COURT PROCEEDINGS AS AN ATTORNEY WOULD HAVE,

THREE - PLEASE TAKE NOTICE TO PETITIONER OBJECTIONS BECAUSE PETITIONER HAS A SERIOUS MENTAL PROBLEM THAT WOULD AFFECT HIS UNDERSTANDING OF COURT RULES, SO PLEASE TAKE NOTICE TO PETITIONER OBJECTIONS TO DISMISS.

FOR ALL ABOVE REASONS THIS PETITIONER WANT THIS COURT TO TAKE NOTICE TO HIS  
OBJECTIONS DUE TO PETITIONER PETITION, SPECKS FOR ITSELF IN PERSINGER VS  
MCBRIDE, IN CASE NO. 5:03-0618, AS THIS PETITIONER IS NOT BEING  
REPRESENTED BY COUNSEL ON THIS RESPONSE ON ABOVE ISSUES SO PLEASE  
TAKE NOTICE TO PETITIONER OBJECTIONS TO STATES MOTION TO DISMISS.

Respectfully Submitted

Henry Persinger

HENRY PERSINGER, AS PRO SE  
Reg IV, 20067  
M.O.C.L.  
MT Olive, W. VA. 25185

DATE Submitted

December, 23, 2003

PETITIONER HENRY PERSIGNER, AS PRO SE IS SENDING A COPY OF THE  
RESPONSE FROM M.O.C.C. POST OFFICE ON DECEMBER 23 2003 TO THE  
ADDRESS BELOW,

OFFICE OF STATE  
ATTORNEY GENERAL  
STATE CAPITOL COMPLEX.  
CHARLESTON, WVA,  
25305

Henry Persinger  
HENRY PERSIGNER, PRO SE  
Reg NO. 20067  
M.O.C.C.  
MT OLIVE, W.VA. 25185